IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc.No.81042-M of 2006

DATE OF DECISION: FEBRUARY 22, 2007

Sandeep Singh

...PETITIONER

VERSUS

State of Punjab

...RESPONDENT

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr. Rajesh Bhatheja, Advocate,
for the petitioner.
Mr.N.S.Gill, AAG, Punjab.

...

Petitioner Sandeep Singh apprehending his arrest in a non-bailable offence in case FIR No.546 dated 1.11.2006 registered under Sections 493/313 IPC at Police Station Kotwali, Bathinda, has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail.

While issuing notice of motion on December 22, 2006, the arrest of the petitioner was stayed subject to his joining the investigation.

I have heard the counsel for the parties.

Counsel for the petitioner contends that in the aforesaid case it has been alleged by the complainant that the petitioner promised her to marry but subsequently he did not solemnize the marriage and she became pregnant due to the relations with the petitioner. It has been further alleged that on one date the petitioner had given something in the Frooti due to which pain developed in her abdomen and thereafter her pregnancy was terminated. Counsel for the petitioner contends that all the allegations levelled by the complainant are totally false. Earlier, she made a complaint against the petitioner, which was inquired into and the allegations levelled by the complainant were found to be false. A copy of the Enquiry Report has been annexed with this petition as Annexure P-2.

Counsel for the respondent-State, on instructions from SI Jogeshwar Singh, states that at one stage the petitioner had appeared before

the Investigating Officer but since the investigation was transferred to the Crime Branch, the petitioner was not permitted to join the investigation. Counsel for the petitioner contends that as and when the petitioner will be called by the Investigating Officer, he will join the investigation.

In view of the above, the interim order dated December 22, 2006 is made absolute.

Disposed of accordingly.

February 22, 2007 (SATISH KUMAR MITTAL)
vkg JUDGE